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## REGINA V. CRAWFORD AND CHARLES, CONTINUED.

...and I stood, and for more than one day I saw all the clay and rubbish, which were taken out of the prison, were left in front of the prisoner's door, almost in the middle of the street. It was in consequence of the prisoner's breach of duty in not ensuring that the man who was properly protected that the deceased met his death and it was for that act that he was now charged with manslaughter. It would be under any circumstances a breach of the ordinary law of the land for a person to do an act upon the public highways by which death was caused, and it was not necessary in considering this matter to go beyond the ordinary law which constituted such an act, man-

lawful act. Now, what was Mr. Elworthy's position in this matter? Was it not precisely the same as if his Honor should give some planing done in his drawing-room, and should employ for that purpose a plasterer? That the man should have a portion of the scaffolding in such an insecure position, as that it should fall upon and kill one of his Honor's children,—and that because of that disaster his Honor should be indicted for manslaughter. There was no other difference between the two cases, that here the whole of the responsibility had been taken off Mr. Elworthy's shoulders and put upon Chambers, by the assumption to the Corporation, for the procurement of the

100. Different men to help him at a shifting a day less. He was  
 therefore, a day late, sure on the work.  
 Mr. Dailley: But he agreed to take the whole work  
 Mr. Butler: Still the work was done under Mr. El-  
 worthy's direction.  
 Mr. Hume (addressing Mr. Dailley: I would not trouble  
 you for any reply, but for the point just raised, as to the  
 work having been done under the prisoner's direction.  
 The question is, whether Mr. Elworthy's employment  
 The man from day to day made any alteration in regard to  
 the responsibility.  
 His Honor: Of course, otherwise the whole control

Charles F. Kiebler, being sworn, deposed: I am a duly qualified medical practitioner; about eight o'clock in the evening of the 9th January last, I was called in to attend a man who had some bodily injury—the nature of the injury of the breast he was not dead when I saw him first; I considered that some night, his death resulting from recent injuries in the skull—fractured fractures in the region; they were such injuries as might be the result of a fall from an omnibus.

Charles McMahon, being duly sworn, deposed: I remember the evening on which an omnibus was upset in George street; I came from Rindlers to Sydney that evening.

By Judge: The schooner was going to Newcastle. There was a cargo on board, the ship was an iron bark. James Smith, being sworn, deposed that he was a mate on board of the vessel when it ran down a boat with the name of the "Hilly." Smith was not able to say at what time the boat was down, witness heard a cry that there was a boat on the lee bow; witness saw the boat afterwards, and ran forward to see what had happened. While the man Abbott sang out the boat might be seen, witness saw the boat, and saw the man Abbott, five minutes before the boat was struck; the captain could not see a great distance forward on account of the sails.

By Mr. Darvall: Witness heard the mate singing

I have the honor to be, Sir, Yours, &c.,  
W. S. MURIEL.

Friday, 4th February.  
I have observed that, according to Messrs. Currier and Verrill's statement, the salmon here was introduced from Alaska. However true this may be, when I was at Boston it was told me the salmon there was procured from the State of Maine.

After the sale of Mr. Kammham's sale of furniture, in Pittsburg, N. H. Muriel will hold his sale of pianoforte, jewelry, &c. on Monday, 6th, at the Oldman, at St. John's. As the public are so numerous who wish to attend, a private buyer should attend, as the sale is unimportant.—A

His Honor said he felt obliged to Mr. Dillon for his remarks, which were exceedingly gratifying to him. He stated that so long as he had a seat on that Bench, the law would continue to prevail. The business was the foremost with, which caused cases which were undefended cases only. The remaining undefended cases will be taken to-morrow morning at 10:30.

[illegible]

I have been so kind as to send you a copy of this worthy corner, more  
 adequately pertaining to myself, and to the point to which I will sub-  
 scribe myself,  
 Yours, &c., &c.,  
 GEORGE E. WORTH

The past of Spain, while on the American side it has been the past of the south of Maine. Thence I infer that the temperature of the sea at the mouth of the river would be greater than that at the abovementioned points of view on the Atlantic, the young salmon, when introduced, will, in this country, be well run south from us until they reach an ocean temperature suitable to their nature.

I have the honour to be, Sir, Yours &c,  
S. B. MAGLUE

Friday, 4th February.

For Friday's observations, according to Benson, Cuyler and Verrill, the salmon has been found in the River Connecticut; water this may be, when I was at Boston. I was told that the salmon there was procured from the State of Maine.

After the sale at Mr. Kaufman's place of furniture, in Pitts-borough, N. H. Muriel will hold his sale of paintings, jewellery, and



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